

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT  
OF ALABAMA, NORTHERN DIVISION

ARZELL WILKERSON,

Plaintiff,

vs.

CAPITAL ONE,

Defendant.

2005 DEC 14 P 2:10

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U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA.

Civil Action No.

State Court File No: CV-04-2865-TMH

2:05cv1192-W

**CONSENT TO REMOVAL AND JOINDER IN NOTICE OF REMOVAL**

COMES NOW CAPITAL ONE, erroneously identified in the Complaint as Capitall One ("Capital One"), and hereby gives notice of its consent to the removal of this case from the Circuit Court for Montgomery County, Alabama, to the United States District Court for the Middle District of Alabama, Northern Division. Capital One joins the Notice of Removal filed by Capital One Services/Capital One, F.S.B., and adopts all arguments set forth therein.



Rik S. Tozzi (TOZ001)  
Attorney for Capital One

OF COUNSEL:  
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(205) 868-6000

CERTIFICATE OF SERVICE

I do hereby certify that I have caused a copy of the foregoing pleading to be mailed to counsel for all parties to this action on this the 14<sup>th</sup> day of December, 2005.

  
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OF COUNSEL

cc:

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